THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.1961 of 2006

Dated: 02-02-2006

G. Suryanarayanamurthy.

..... PETITIONER

AND

Kakinada Municipal Corporation, Kakinada.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.1961 of 2006

ORDER:

The petitioner is a resident of Treasury Colony, Kakinada. He filed the instant writ petition seeking a writ of Mandamus declaring the action of the respondents namely Kakinada Municipal Corporation in not taking any action against the illegal construction being made on the road in the colony. The petitioner also seeks a direction to the respondent to that effect.

The matter was initially heard before the lunch session, the learned standing counsel for Kakinada Municipal Corporation was directed to get instructions in the matter. In the afternoon, after getting instructions in the matter, the learned standing counsel submits that there is a strip of private land shown in the layouts as proposed road extension. In the site admeasuring 10 meters x 18 meters, at the time of inspection by the Commissioner, a basement construction with RCC pillars was found and necessary action is being taken with regard to such construction in the layout plan No.435/87 which is in Survey No. 68.

The learned counsel for the petitioner is not able to correlate the road to any of the layouts in the colony. In such an event, it is not proper for this Court to decide whether there is exactly road or not. The respondent is already taking necessary action and that would be sufficient for redressal of grievance of the petitioner.

The writ petition, with the above observation, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

2nd February, 2006

ghn